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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,077	02/06/2002	Charles J. Northrup	N17-016	7428

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EXAMINER

COULTER, KENNETH R

ART UNIT PAPER NUMBER

2141

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/068,077

Applicant(s)

NORTHROP ET AL.

Examiner

Kenneth R. Coulter

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Specification*

1. A substitute specification is required pursuant to 37 CFR 1.125(a) because the specification contains a lengthy program (pp. 142 – 233) that is not allowed in the specification as detailed in 37 CFR 1.96(b), since it is more than 300 lines in length.

#### 37 CFR 1.96

(b) *Material which will be printed in the patent* If the computer program listing is contained in **300 lines or fewer**, with each line of 72 characters or fewer, it may be submitted either as drawings or as part of the specification.

(1) **Drawings** If the listing is submitted as drawings, it must be submitted in the manner and complying with the requirements for drawings as provided in 37 CFR 1.84. At least one figure numeral is required on each sheet of drawing.

(2) **Specification**

(i) If the listing is submitted as part of the specification, it must be submitted in accordance with the provisions of 37 CFR 1.52.

(ii) Any listing having more than 60 lines of code that is submitted as part of the specification must be positioned at the end of the description but before the claims. Any amendment must be made by way of submission of a substitute sheet.

A substitute specification must not contain new matter. The substitute specification must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject

Art Unit: 2141

matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) and a statement that the substitute specification contains no new matter must also be supplied. Numbering the paragraphs of the specification of record is not considered a change that must be shown.

### ***Drawings***

The drawings are objected to because of the spelling mistake in Fig. 2A (item 53 "ENPOINT"). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date

Art Unit: 2141

of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following are quotations of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Meltzer et al. (U.S. Pat. No. 6,125,391) (Market Makers Using Documents for Commerce in Trading Partner Networks).

3.1 Regarding claim 1, Meltzer discloses in a network comprised of a multiplicity of computers, each computer having a communication device, each computer having an

Art Unit: 2141

operating system with interfaces for communication connectivity and synchronization, a method for using a service, the method comprising:

a. a first component of software executing on a first computer and registering as a specified service with a directory service process executing on a second computer (Abstract; Figs. 1, 11; col. 2, lines 32 – 54; col. 9, lines 30 – 44 “goods or **services** to be traded ...”; “BID registry”);

b. the directory service process creating a registration for the first component of software (Abstract; Figs. 1, 11; col. 2, lines 32 – 54; col. 9, lines 30 – 44);

c. a second component of software executing on a third computer and communicating a request to the directory service process, the request representative of a request to access and interact with the specified service provided by the first component of software (Abstract; Figs. 1, 11; col. 2, lines 32 – 54; col. 9, lines 30 – 44);

d. the directory service process, responsive to receiving the request, locating the registration entry for the first component of software, and facilitating communication with the first component of software on behalf of the second component of software (Abstract; Figs. 1, 11; col. 2, lines 32 – 54; col. 9, lines 30 – 44).

3.2 Per claim 2, Meltzer teaches the method of claim 1 wherein the specified service is a software engine service (col. 9, lines 30 – 44 “**goods or services** to be traded ...”).

3.3 Regarding claim 3, Meltzer discloses the method of claim 1 wherein the specified service is an authentication service (col. 9, lines 30 – 44 “**goods or services** to be

Art Unit: 2141

traded ...").

3.4 Per claim 4, Meltzer teaches the method of claim 1 wherein the specified service is a generic front end loading service (col. 9, lines 30 – 44 **"goods or services to be traded ..."**).

3.5 Regarding claim 5, Meltzer discloses the method of claim 1 wherein the specified service is a payment connection service (col. 9, lines 30 – 44 **"goods or services to be traded ..."**).

3.6 Per claims 6 – 17, the particular services claimed are encompassed by the "goods or services" (col. 9, lines 30 – 44) in Meltzer.

3.7 Regarding claim 18, Meltzer discloses a computer readable media containing computer instructions implementing the method of claim 1 (col. 3, line 46 – col. 4, line 3).

3.8 Per claims 19 and 20, the rejection of claims 1 – 18 under 35 USC 102(b) (paragraphs 3.1 – 3.7 above) applies fully.

Art Unit: 2141

4. Claims 1 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Geiger et al. (U.S. Pat. Pub. No. 2002/0087576) (Commercial Data Registry System).

4.1 Regarding claim 1, Geiger discloses in a network comprised of a multiplicity of computers, each computer having a communication device, each computer having an operating system with interfaces for communication connectivity and synchronization, a method for using a service, the method comprising:

- a. a first component of software executing on a first computer and registering as a specified service with a directory service process executing on a second computer (Fig. 1 “Trading Partner”; Fig. 3; Abstract; paragraph 7 “registration in the commercial data registry”; paragraph 14);

- b. the directory service process creating a registration for the first component of software (Fig. 1 “Trading Partner”; Fig. 3; Abstract; paragraph 7 “registration in the commercial data registry”; paragraph 14);

- c. a second component of software executing on a third computer and communicating a request to the directory service process, the request representative of a request to access and interact with the specified service provided by the first component of software (Fig. 1 “Trading Partner”; Fig. 3; Abstract; paragraph 7; paragraph 14);

- d. the directory service process, responsive to receiving the request, locating the registration entry for the first component of software, and facilitating communication with the first component of software on behalf of the second component of software (Fig. 1



Art Unit: 2141

"Trading Partner"; Fig. 3; Abstract; paragraph 7; paragraph 14).

4.2 Per claim 2, Geiger teaches the method of claim 1 wherein the specified service is a software engine service (Abstract "goods and services"; paragraph 14 "The **registry database 20** contains user records 12 which contain information regarding the users, item records 14 which describe commercial **goods or services** ...").

4.3 Regarding claim 3, Geiger discloses the method of claim 1 wherein the specified service is an authentication service (Abstract "goods and services"; paragraph 14).

4.4 Per claim 4, Geiger teaches the method of claim 1 wherein the specified service is a generic front end loading service (Abstract "goods and services"; paragraph 14).

4.5 Regarding claim 5, Geiger discloses the method of claim 1 wherein the specified service is a payment connection service (Abstract "goods and services"; paragraph 14).

4.6 Per claims 6 – 17, the particular services claimed are encompassed by the "goods or services" (Abstract; paragraph 14) in Geiger.

4.7 Regarding claim 18, Geiger discloses a computer readable media containing computer instructions implementing the method of claim 1 (Fig. 9; paragraph 26).

Art Unit: 2141

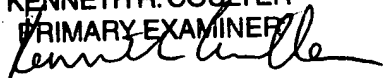
4.8 Per claims 19 and 20, the rejection of claims 1 – 18 under 35 USC 102(e) (paragraphs 4.1 – 4.7 above) applies fully.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KENNETH R. COULTER  
PRIMARY EXAMINER



krc